App. F. IX-4

Previous References 193 4. (Jaur) File No. 22 - 34

Jaur 100-33 (1-2) Serial Nos. 1 4

Letter References.

50

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Jaur Leu

Part B for July 1936

SUBJECT.

RS no 584/34-35 one in file after Sanctioning Building to Bangalore (Diocesan, Bangalore no Mr. B. Shamkara Rao)

WD 03607—GPB—22,500—2-8-35

M Syed
21/8/38

No. 136 / 34-35

SECRETARIAT

6 AUG 1934

Office of the Public Prosecutor,
Bangalore Division,
Bangalore, dated, 28th July 1934.
4th August.

Law-22-34-1

From

The Public Prosecutor,
Bangalore.

To

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

Sir,

RE: The suit to be filed against Mr. B. Shankara Rao for arrears of rent due in respect of the premises belonging to Sri Kasiviswswara temple, Chickpet occupied by him.

I have the honour to enclose a plaint proposed to be filed in the above case for approval of Government. The Municipality has been required to furnish the number of the premises and a sketch of the property.

I have the honour to be,

Sir,

Your most obedient servant,

— Sd/ Doraswamy Iyengar

Public Prosecutor,
Bangalore.

KHR.

The PPr. may perhaps be asked to submit the plaint when the Mun. Comm.

2) Why? Do the rules require this?

3) According to rule 83 of the rules for the legal affairs of Govt. PPr is required to draft the plaint in Commercial cases after the proposed institution. It is now noted in the P.W.D. that it is prepared accordingly.

1079 786

General and Revenue Secretariat | For File No. M of 1934. | [App. F. III—2

Serial No.

The Connected records have been sent to verify the allegations made in the plaint. Therefore it would be safe if it is perused by the Hig. Court before sanction is accorded.

ISD 9/8.

4) The PP may be asked whether the draft has been prepared in Consultation with the Bangalore as required by rule 83

PSM 9/8

5) Dft enquiry from up

ISD

6) Issue

PSM 10/8

TYPING SECTION * 10 AUG. 1934 * GENL. & REV. SECTT.

2 Issued no. P. 755 d. 11.8.34 - To the P.P. Bl...

Sus A 13/8

Enquire whether the draft has been prepared in consultation with the D.C. Bl..., as required by rules.

3 From the Pub. PP, Bl... Dt.

letter no. 182 dated 13-8-34

State that the draft plaint has been prepared after personal discussion with the P.A. to Dy comm. Bl... and that a copy of the plaint has been sent to the Dy comm. for appe.

OFFICE OF THE SECOND MEMBER OF COUNCIL 22 AUG. 1934 No. 1302

7) Submitted for orders with refee to para 4 supra

8) The plaint is in order may be approved.

Gen Secy 20/8/34

PSM 20/8

* NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

9) may be approved.

Second member

Chief 22.8.34

Chief 21.8.34

PSM 21/8

1079

Law File No. 22 of 1934 | General and Revenue Secretariat

10) Dft returning the plaint. The Pltr may be told that the Suit is under sec 11 of the Religious & charitable Endowments Regn, 1927 & that therefore it is not necessary to make the Govt as such the plaintiff in the case.

NRJ
23/8/34

11) Dft. sent up accordingly

Law
24/8/34

12) Issue
NRJ
25/8/34

TYPING SECTION
23 AUG. 1934
GENL. & R

To

The Pltr Bldr

no. P. copy of plaint returning the plaint duly sgd.

Suo C
27/8

From

The M.C.

no. 6m/1933 dt 7.12.34 forwarding for sgd a copy of the plaint in the proposed Suit agt Mr. Shankara Rao, Advr and Solicitor, in the Corporation of Madras and to advance a sum of Rs 150/- to the Pltr Bldr towards the cost of the Suit from the Charity balance of the Genl Hos. Fund subject to adjustment in due course.

Serial No.

13) Dft. plaint is already appd and returned to the PBr. (vide para 8-g supra) PBr. wants a sum of Rs 129-12-0 to be placed at his disposal towards costs of the Suit. Details are not furnished. Rs 84/- are have to be paid towards Ct. fee. The balance of Rs 45-12-0 will probably appropriated towards his fee and Contingent. Sanction solicited to advance the amount from the ~~grant~~ on closing balance of Genl. Rly. Fund may perhaps be accorded by the Rly. Adm. Sectt. (Rly. Br.).

13/12 ISO

14) Yes - But we have to say if the amount claimed is all right - Please therefore get details.

PRL 12/12

15) Dft put up for appl.

13/12 ISO

16) Issue as revised

PRL 13/12

To,

The PBr. B'lore

no. P. 3077 d 15-12-34 Calling for the details of the bill

From,

The PBr. B'lore

no. 660 d 21-12-34. forwarding copies of Correspondence that passed between him and the Dy. C. B'lore

Sus A 20/12

TYPING SECTION. 4.50pm 13. DEC. 1934 GENL. SECTT.

Note–Contn. Sheet.

Civil Suit against Mr. Shankariya

3553

Law File No. 11 of 1934 | General and Revenue Secretariat

17) Details of the amount claimed by the GBr as given in the P. W. D. Subs? for orders with refce to paras 11 & 12 supra.

JSD 24/12

18) Draft G.O. sanctioning the Suit & approving the plaint &c as usual

RRP 24/12

19) Subs? with a dft G.O. for appl?

JSD 26/12

20) May be approved

Greensey) RRP 27/12

Second Member.

27.12.34

RRP 29/12

S/12

3/1/35

31.12.34

21) Issue

RRP 2/1/35

To, The M.E.
D.C. Sbre
GBr
Comptroller & Govt

G.O. no. P. 3307-10 Law dated 4.1.35 sanctioning the instn of the Suit.

OFFICE OF THE SECOND MEMBER OF COUNCIL. 29 DEC. 1934 No. 4-S-34

GENL. D.

Sue 8/1/35

6/14 O.S. 584/35-35 – I Munsiff, Blore ..26
(D.C. Blore vs Mr. B. Slankarrao)

General and Revenue Secretariat

Law File No. N of 1934. [App. F. III–2

Serial No.

From,

The Dist. Blore

no. 1139/35-35 dt. 30.5.35 intimating that a reply to the W.S. has been filed in the above case on 28.5.35 and the suit has been decreed for possession and for the admitted amount upto 20Fl.

re) This is a suit for arrears of rent due in respect of the premises belonging to Sri Kasi Viswesvara temple, Chickpet, occupied by Mr. B. Slankara Rao, Adv. The arrears of rent due according to the plaint is Rs 678-8-0.

Submitted for perusal

ISD
5/6

re) Copy of this memo sent to the Munsiff

5/6

re) Perused

ISD
6/6

re) Issue

6/6

To,

The ML

no. C. 6885 dt. 6.6.35 forwarding copy of the above letter for information

ACTION.
6. JUN. 1935
GENL. & REV. SECTT.

Note–Contn. Sheet.

700 / 903

O.S. 584/34-35 - Dy. Mine

Law File No. n of 1934.

General and Revenue Secretariat

From,

The M.C.

no. Estpass d 26.7.35 soliciting sanction of Govt to advance a further sum of Rs 10/- to the Dr. Mine out of the closing balance of the General Mtg. Fund, to meet the incidental expenses in connected with the proceedings in the above case

Ref^ce para 1133 Supra.

Sub^t: with a. dft. G.O. sanctioning grant

SD 2/8

2) Maybe returned

Genl Secy) 2/8

(Thr 2/8

2) Issue

2/8

3/8

To,

The M.C.

Dy. Mine

Coimbatore

G.O. no. P. 887-89 Law dt 7.8.35 sanctioning Govt the advance of Rs 10/- to the Dr. Mine.

Issue

2/8

GENERAL SECRETARIAT 3 AUG. 1935

TYPING SECTION 5. AUG. 1935 GENL & REV. SECTT.

F

5886/35

OFFICE OF THE PUBLIC PROSECUTOR,
Bangalore DIVISION,
DISTRICT OFFICE BUILDINGS.

No. 975
Enc. 35-36

Dated 19th March 193 6.

FROM

The Public Prosecutor,
Bangalore Division,
Bangalore

To

The General Secretary to the Government
Bangalore

SIR,

Subject:—O.S. No. 584/36-35 on the file of the First Munsiff, Bangalore
(The Deputy Commissioner, Bangalore
-vs- Mr. B. Shankararao)

I have the honor to state that the above case has been adjourned to the 18th May 1936 for evidence as the defendant prayed for time which was granted

Sec 5/6/36 ✓

I have the honor to be,
Sir,
Your most obedient servant,

D Devaswamy Iyr
Public Prosecutor.

KAR

WD 0205—GPB—1,000—17-8-33

9 3892 /35

Law 22-34-12 PPB

19 .

From

The Public Prosecutor,
Bangalore Dn.
Bangalore.

To

The Deputy Commissioner,
Bangalore District,
Bangalore.

Dated 27-12-1935.

Despatched

Received

General No. 1-88/35-36

No.

Enclosure No.

Sir,

Re:- O.S.No. 584 of 34-35 on the file of the First-Munsiff, Bangalore.(The Deputy Commissioner, Bangalore VS. B. Shankara Rao)

I ahve the honour to state that the defendant handed over possession of the premises on 19-12-35 Arrangements may kinaly be made to take over possession. Further proceedings will be intimated in due cource.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd) Mr. G.S.Doraswamy Iyer, B.A.
Public Prosecutor.

Memo No. 1-89/35-36.

Copy is forwarded ~~with compliments~~ to the General-Secretary to the Govt of H H the Maharaja of Mysore, Bangalo

Public Prosecutor
Bangalore Dn

SNR.

GENERAL OFFICE (P&I)
2- JAN. 1931

NOTE—Contn. Sheet.

1938

28) Ref^ce para 1a supra.
Submitted for perusal. ~~xxx~~
If appd a cpy of this will be sent to Mr. for information.
TSD 7/1 Gen Secy 29) Yes 7/1/31.
30) Dft sent?
TSD 8/1 8/1/31
Le 87-1-Pb
Issued no. P. 455 dated 13.1.31.
Sec C 1st.

1(1)b
9/4

03. 886 | Memo on the file of the D'Mg. Bore
(re D.C. Bore vs S. Ranka Reddi)

Govt. File No. of 1936. | General and Revenue Secretariat

From,

The Dist. Bore

no. 1351/35036 dt 30-6-36 forwarding a certified copy of the Judgt. + decree in the above case which has been decided for R 3.0/- only and stating that it is a fit case for appeal.

31) He has to give reasons under rule 105 L.A. rules.

Await fresh Communication from Commr

(Sd) illegible
1/7/36

32) No fresh Communication has been rec'd. Dft calling for his reasons, Sub?

TSD 4/7

From,

The Dist. Bore

no. 9/36337 dt 3-7-36 forwarding a Copy of the letter addressed to the M.E. and stating that there appears to be no reasonable Chance at all of recovering the Amount as the debtor appears to be very bad up.

Submitted for perusal

33) Dft is for orders whether he dft proceed in the 32 supra may kindly be.

TSD 4/7.

34) The PW says that there is no prospect of recovering even

Serial No.

... ... ount now decreed. There is therefore no use in considering the question of any further appeal in this case which would after all mean throwing away good money after bad.

Gen Secy) — [initials] 4/7

4 JULY 1936
11

35) Has this man been turned out of the place at least? Why shd he not have been arrested?

[initials] 4/7

36) Portion marked 'A' at page 13 of the Judgment shows that the defendant gave up possession on 19-12-35.

The PPr says that when the defendant was about to be arrested, he approached the D. C. for time which seems to have been granted, so that for the present the execn case is dismissed. Fresh execn will in due course be taken and efforts made to recover the money due by arrest. But hopes of recovery are however remote seeing the very bad financial condition of the defendant who is ~~[illegible]~~ a legal practitioner in Bangalore.

- 6 JULY 1936
129

Gen Secy) — [initials] 6/7

JJ No. 584/34-35

General and Revenue Secretariat

File No. 22

21) Subd for perusal. I agree with the Asst Secy's view in para 34 that we need not appeal as there is no likelihood of any money being received from the defendant who is apparently at the end of his means.

Sd/ 8/7/36

First Member

Sd/ 8/7

Sd/ 12/7

Sd/ 13/7

Sd/ 14/7

Sub:

Sd/ 15/7

TYPING SECTION. 15 JUL. 1936 GENL & Rev.

Issued the P.P., Nyapati Commr in P 539 Law 22-24-14 stating that there is no use of further appeal in O.S. 584/34-35 on the file of D Munsiff, Bangalore.

Ltr dt 16.05.36

SB 21/7/36

Note This decree in Exc 21 Reg. file these papers Notes-Pp 27 & Sub B

27-7-36

IN THE COURT OF THE FIRST MUNSIFF, Bangalore.

O. S. No. of 34-35.

The Government of Mysore
by the Deputy Commissioner
Bangalore — Plaintiff.

Vs.

B. Shankara Rao son of
aged about 50 years, Advocate,
Chickpet, Bangalore City. — Defendant.

Under Order VII Rule I of the Code of Civil Procedure, the plaintiff abovenamed states and prays as follows:-

1. The address for service of all processes of court etc., is stated above

2. The plaintiff is the Deputy Commissioner, Bangalore District and is a Muzrai Officer under and by virtue of Regulation VII of 1927.

3. In Bangalore City and under the control of the plaintiff is a Muzrai Institution known as Sri Kasi Visweswaraswami temple situate in Chickpet.

4. The said institution is possessed of various properties and in particular the premises described in the schedule hereunder written, all of which are under the control of the plaintif

5. The defendant is occupying the premises No. on a monthly rent of Rs. 13/- as a tenant.

6. The defendant in spite of repeated demand has not paid the rent from 1-4-1929 to date. The suit is however within time by virtue of his written acknowledgments of liability dated 26-7-1930 and 17-8-1931 and payments made on 12-12-1931.

7. A registered notice calling upon the defendant to pay the rent and quit the premises before 1-5-1934 was issued on 10-4-1934 and received by him on 14-4-1934.

8. The defendant is liable to pay Rs. 678-8-0 being the amount due up to 1-7-1934 calculated at Rs. 13/- per mensem. From the expiry of the tenancy he is liable to pay at the same rate as damages for use and occupation. The defendant is also liable to pay interest by way of damages at 6% per annum.

(5—

9. The cause of action arose on 1-4-1929 and the 1st of subsequent months and within the jurisdiction of this Hon'ble Court.

10. The value of the suit for purposes of court fee and jurisdiction is Rs. 678-8-0 and Rs. 156/- being the annual rent for purposes of ejectment and a court fee of Rs. 84/- is paid thereon.

11. The plaintiff prays for a decree

1. directing the defendant to pay the sum of Rs.678-8-0.
2. directing the defendant to pay damages at Rs. 13/- per month up to date of delivery of possession.
3. directing the defendant to quite and deliver vacant possession of the schedule property to the plaintiff.
4. directing the defendant to pay interest at 6% per annum up to date of realisation.
5. directing the defendant to pay all costs and interest thereon at 6% up to realisation.

and for such other relief or reliefs as this Hon'ble Court deems fit to grant.

Advocate for plaintiff. Plaintiff.

I the plaintiff abovenamed do hereby declare that it stated above is true to the best of my knowledge, belief and information.

Bangalore. Plaintiff.

Copy

Appendix F G—1]

SUBJECT .....

.....

.....

Section Law

File No. 22-34

Serial No. 2

No. P 755

Diary No. of letter replied to .....

To

The Public Prosecutor, Nlre

Sir,

General and Revenue Secretariat

( )

the *193*

With reference to your letter no. 856 from d. 4th Aug 34 re. the proposed suit against Mr. B. Shankara Rao for arrears of rent due in respect of the premises belonging to Sri Kasi Viswanatha temple occupied by him, I am directed to enquire whether the draft plaint now sent for approval has been prepared in Consultation with the D.C. Nlre. as required by rule 53 of the rules for the legal affairs of Govt.

Date of issue ... 11. 8. 34

Signed by .... Mrs. V. R. J.

List of enclosures .....

Copied by 10/8/34

Examined by... .....

I have the

WD 01956—GPB—22,530—12-6-34

ISD 10/8.

ISD 10/8 for Gen Secy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 10th August 1934.

No. P755.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,
Bangalore Division.

Sir,

With reference to your letter No.136/34-35 dated 4th August 1934, re: the proposed suit against Mr.B. Shankara Rao for arrears of rent due in respect of the premises belonging to Sri Kasivisveswara Temple occupied by him, I am directed to enquire whether the draft plain now sent for approval has been prepared in consultation with the Deputy Commissioner, Bangalore, as required by rule 83 of the rules for the legal affairs of Government.

I have the honour to be,

S i r,

Your most obedient servant,

for General Secretary to Government.

K.M.R.2/10-8-34.

Law 22-34

7-6

1079/1934

No. 182 34-35

Enc. .....

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION,
DISTRICT OFFICE BUILDINGS,

Bangalore, 13th August *193* 4.

Law 22-34-3

GENERAL SECRETARIAT
16 AUG. 1934
FROM

G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

To

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

Sir,

With reference to your letter No.P.755 dated the IIth instant, I have the honour to state that a copy of the plaint has also been forwarded to the Deputy Commissioner, Bangalore for his approval and that instructions to prepare a plaint were received in April 1934 from the Deputy Commissioner, Bangalore when the matter was discussed with the Personal Assistant to the Deputy Commissioner, Bangalore.

I have the honour to be,

Sir,

Your most obedient servant,

G S Doraswamy Iyer

KHR.

Public Prosecutor.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

19

No. P 1084 / Gen 1

Bangalore, Dated 25th August 1934.

27

From

The General Secretary to the Government of His Highness the Maharaja of Mysore

To

The Public Prosecutor,
Bangalore Division.

Sir,

With reference to the correspondence ending with your letter No. 182/34-35, dated 13th August 1934 re. the suit to be filed against Mr. B. Shankara Rao, Advocate, Bangalore City, I am directed to return herewith the plaint duly approved and to state that as the suit is under Section 11 of Regulation VII of 1927, it is not necessary to make the Government the plaintiff in the case.

I have the honor to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

TRM.2

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 27/8/34

Signed by Asst. R J K

List of enclosures .....

Copied by .....

Examined by .....

Section Law

File No. 22-34

Serial No. 4

No. P-1084/Gen/1

To The P.P.R. Bezwada

Sir

With refce to the correspondence ending with your letter No. 152/34-35 dated 13-8-34 re the Suit to be filed against Sri B. Shankaraiah Advocate, Bezwada, I am directed to return herewith duly signed the plaint duly approved and to state that as the Suit is under Sec 11 of Regn VII of 1927, it is not necessary to make the Govt. the plaintiff

21

in the case

1884

3/8 Dane etc

Jas Fenelon

Esq

Laws 100-33 (1-4) / 5 March 34

3204 p83

[M C 13.] No. 622/34-35

Encl 17 file

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 5th December *193* 4

Law 7. (22-34-5)

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

GENERAL SECRETARY 7 DEC. 1934

To

S. Abdul Wajid, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*

SIR,

Eviction and recovery of rent due to Sri Kasi Visveswaraswami Temple, Bangalore City, by Mr. B. Sankara Rao.

With reference to your letter No.P.4361/Law 100-33-2 dated 17th March 1934 re: the above, I have the honor to forward herewith for approval, a copy of the plaint proposed to be filed in the First Munsiff's Court, Bangalore, received with Public Prosecutor's letter No.135/34-35 dated 4th August 1934.

2. The Public Prosecutor estimates that the cost of filing the suit etc., will come to Rs.129-2-0 and requests that the amount may be placed at his disposal. As there is not sufficient cash balance at the credit of the temple, the Deputy Commissioner solicits sanction to advance the amount from the General Muzrai Fund subject to adjustment when sufficient fund accumulates to the credit of the temple. The institution has got Rs.600/- in 6½% and Rs.1000/- in 4% loan bonds. I request that sanction of Government in the Muzrai Department may kindly be obtained and communicated to me to advance a sum of Rs.130/- from the closing balance of the General Muzrai Fund, subject to adjustment in due course.

I have the honor to be,
Sir,
Your most obedient servant,

For Muzrai Commissioner.
(Absent from Headquarters)

Copy of letter No.135/34-35 dated 23th July/4th August 1934 from the Public Prosecutor, Bangalore Division to the Deputy Commissioner, Bangalore District.

Re: Suit to be filed against Mr. B. Shankara Rao for recovery of rent due to Sri Kasi Visweswaraswamy Temple at Chickpet.

I have the honour to enclose herewith a copy of plaint proposed to be filed in the above case which has been forwarded to Government for approval. The estimate of costs is appended below. The amount of Rs.129-2-0 may kindly be arranged to be placed at my disposal to enable me to file the suit. The Amildar has been requested to furnish the number of the premises and schedule of the property.

J. [illegible]
For Deputy Commissioner,
Bangalore District.

24

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P.3027

Bangalore, Dated, 17th December 193 4.

18

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Public Prosecutor,
Bangalore.

Sir,

With reference to your letter No.135/34-35 dated 4th August 1934 addressed to the Deputy Commissioner, Bangalore regarding the suit proposed to be filed against Mr.B.Shankara Rao, Advocate, Bangalore, I am to request you to kindly furnish the necessary details for the amount of Rs.129-2-0 required for the purpose.

I have the honour to be,
Sir,
Your most obedient servant,

mel

For General Secretary to Government.

TSD

TSS.

Memo No.

Copy of the above is forwarded with compliments to the Muzrai Commissioner for information.

By Order,

For General Secretary to Government.

TSS.

Appendix F G—1]

SUBJECT 28

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193

Date of issue 18/12/34

Signed by Jm N.N. JR

List of enclosures .....

Copied by WJ/12

Examined by .....

Section

File No.

Serial No.

No. P-3027/—

To

PP

The ~~Maj. Comm.~~

Ramachandrapuram

Sir,

With reference to

Your letter no. 135 dated 4th August 1934 addressed to the Collector ~~requesting~~ ~~sanction~~ of Govt to advance a sum of Rs 150/- to meet Rent ~~in Connection~~ ~~with~~ repairs/re ~~proposed~~ Suit proposed to be filed against Mr. B. Shankara Rao, Advocate

I am ~~directed~~ to request Mr. Rao to kindly furnish the necessary details ~~for~~ re expenditure of Rs 129-2-0 Details for the amount of Rs 129-2-0 ~~may kindly be obtained and~~ required for the purpose ~~submitted for order of Govt~~

I have etc

pp

18/12 for Secretary

ISD 19.12.

WD 01956—GPB—2,500—12-6-34

No P 3093
19/12/34

Copy to DC for info pse

3553/34 27

No. 668

Enc. (2).

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION,
DISTRICT OFFICE BUILDINGS,

Bangalore, 19th December *193* 4

21

FROM

G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

GENERAL SECRETARIAT
22 DEC. 1934

To

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

RE: Suit to be filed against Mr. B. Shankara Rao.

SIR,

BDP 22/12

With reference to your letter No.P.3027 of the 18th instant, I have the honour to furnish below the details for Rs.129-2-0. I enclose copies of correspondence that passed between me and the Deputy Commissioner, Bangalore in this connection.

I have the honour to be,
Sir,
Your most obedient servant,

G S Doraswamy Iyer
Public Prosecutor.

KHR.

Stamp on plaint.	84-0-0.
vakalat.	0-8-0.
summons.	0-10-0.
contingencies.	2- 0-0.
Advocate's fee.	42- 0-0.
	129- 2-0.

Copy of letter No.289/34-35 dated ~~12-9-19~~ 10-9-1934 from the Public Prosecutor, Bangalore to the Deputy Commissioner, Bangalore.

With reference to your letter No.C.3-2401/33-34 dated the 5th instant, I have the honour to state that ~~it~~ it is better first to attempt to recover the rent as arrears of land revenue under ~~the~~ Land Revenue Code. The records are returned herewith.

Copy'

Public Prosecutor.

Copy of letter No. C3-2401/33-34 dated the 5th September 1934 from the Deputy Commissioner, Bangalore to the Public Prosecutor, Bangalore.

------o-------

In continuation of this office letter No.C3-2401/33-34 dated 9-6-1934 re: the suit to be filed against Mr.B. Shankara Rao for arrears of rent due in respect of the premises, belonging to Sri Kasi Visveswaraswamy temple, Chickpet, occupied by him ,

I have the honour to state that action was taken to sell the right, title and interest of the defaulter in the propeties owned by him in the Devanahalli Taluk. But there were no bids. It is reported that local enquiry does not elicit the existence of any encumbrance on the propevties belonging to the defaulter

I request you to kindly furnish your opinion whether it is desirable to proceed against the properties under the Provisions of the Land Revenue Code or to get the properties attached before judgment in the civil suit proposed to be filed.

The connected records accompany for reference and return.

'Copy'

Public Prosecutor.

. KHR.

G. R. S. App. F VI—G 2]

SUBJECT 30

.....

.....

Diary. No of letter replied to .....

General and Revenue Secretariat

( ) *the* *193*

Date of issue..... 193 .

Signed by .....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section Law

File No. 22-34

Serial No. 6

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Correspondence ending with the letter no. 622 press dt 7-12-35 from the Muz. Commr forwarding a C/B of the plaint ~~proposed~~ to be filed in the proposed civil suit against Mr. B. Shankara Rao, Advocate Blore for eviction and recovery ~~Order thereon—No.~~ rent due to Sri Kasi Visveswara Swami Temple, Blore. C/B, and soliciting sanction for in the circumstances stated to advance a sum of Rs 130/- from the closing balance of the General Muz. Fund subject to adjustment due Court.

to see P.Pr. Blore towards the Cost of institution of the suit.

3/

2. Letter no. 660 d 21.12.34

from ee PWD Blore furnishing

ee details of ee amounts required.

order:- Nap 3307-10

Sanctioned. Under

order XXXVII Rule 1&2 C.P.C. the

Deputy Commr Bangalore is authorised

to sign and verify ee plaint

and to act for Govt in respect

of this suit and all other

proceedings Connected therewith.

WH.

PPP Secy

27/12 Gen Secy

TSD 26/12

To,

1) The Dep. Commr with enclosures to his letter

2) The D.C. Blore

3) PWD. Blore

4) Comptroller to Govt

Cop to Dep. Bgr.

List of Enclosure

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:-

Correspondence ending with the letter No.622/34-35 dated 7th December 1934 from the Muzrai Commissioner, forwarding a copy of the plaint to be filed in the proposed civil suit against Mr. B. Shankara Rao, Advocate, Bangalore for eviction and recovery of rent due to Sri Kasi Visveswaraswami temple, Bangalore City, and soliciting sanction of Government in the circumstances stated to advance a sum of Rs.150/- to the Public Prosecutor, Bangalore towards the cost of institution of the suit from the closing balance of the General Muzrai Fund subject to adjustment in due course.

2. Letter No.668 dated 21st December 1934 from the Public Prosecutor, Bangalore, furnishing the details of the amount required.

Order No. P 3307 — 10 Law 22-34-6

Dated, Bangalore, 3rd January 1935.

Sanctioned: Under order XXVII Rule 1 and 4 2 Civil Procedure code, the Deputy Commissioner, Bangalore is authorised to sign and verify the plaint and to act for Government in respect of this suit and all other proceedings connected therewith.

By order and in the name of
the Governor of Mysore,
Secretary to Government.
ISD

To

The Muzrai Commissioner with enclosures to his letter,
The Deputy Commissioner, Bangalore,
The Public Prosecutor, Bangalore,
The Comptroller to Government.

3204

S 188 934

No. 947

Enc. 34-35

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION. 33
DISTRICT OFFICE BUILDINGS,

Bangalore, 6th March 193 5.

Law 22-34-7

FROM

G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

GENERAL SECT. 11 MAR

To

The General Secretary to the Government of H.H.
the Maharaja of Mysore, Bangalore.

SIR,

Adverting to Government Order No.P.3307-IO Law 27-34-6 dated the 3rd January I935 sanctioning to file a suit against Mr. B. Shankara Rao, Advocate for eviction and recovery of rent due to Sri Kasi Visveswaraswami Temple, at Chickpet, Bangalore City, I have the honour to state that a suit has been filed in the First Munsiff's court on 28-2-I935 and the same has been registered and numbered as O.S.No. 566/34-35 and is posted to the I3th March I935 for return of summons of the defendant.

I have the honour to be,
Sir,
Your most obedient servant,

G. Doraswamy Iyer
Public Prosecutor.

KHR.

Submitted for perusal
Suitable proper may be awarded

TSD 12/3

12/3

Secy 12/3

S 186 C-1123 Law 22-34 814 P 34

No 1139 34-31
Enc. one

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION, 34
DISTRICT OFFICE BUILDINGS,

(Camp Kolar) *Bangalore,* 29th May *1935.*

30th

Law 22-34-8

FROM G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

To
GENERAL SECRETARIAT
1- JUNE 1935

The General Secretary to the Government of H.E. the Maharaja of Mysore, Bangalore.

SIR,

RE: O.S.NO.584/34-35 on the file of the First Munsiff, Bangalore. (The Deputy Commissioner, Bangalore -VS- Mr. B. Shankara Rao.)

Reply Rec'd 1/6

I have the honour to state that a reply to the written statement has been filed in the above case on 28-5-1935 and the suit has been decreed for possession and for the admitted amount of Rs.207/-. The case has been adjourned to the 5th June 1935 for issues. The copy of the reply filed in court is enclosed herewith for information of Government.

I have the honour to be,
Sir,
Your most obedient servant,

G. Doraswamy Iyer
Public Prosecutor,
(Camp Kolar)

KHR.

IN THE COURT OF THE FIRST MUNSIFF, BANGALORE.

O.S.NO. 584/34-35.

The Deputy Commissioner, Bangalore. | plaintiff.

GENERAL SECRETARIAT
1- JUNE 1935

-Vs-

S. Shankara Rao. Defendant.

The plaintiff files the following ~~reply~~ reply to the ~~written statement~~ additional written statement filed by the defendant.

1. The plaintiff does not admit the allegations in para 2 of the written statement. The defendant himself has paid rent at Rs.13/- to the plaintiff or his agents when demanded on previous occasions.

2. The defendant having paid rent to the plaintiff and having continued to be in possession as the tenant of the Mysore Institution of which the plaintiff is the Mysoreal officer, is now estopped from questioning the plaintiff's right to demand the rent or the plaintiff's title.

3. The plaintiff denies the averments in para 3 (I) of the written statement.

The plaintiff has given credit to all the amounts paid by the defendant. The defendant is liable to pay the amount claimed in the plaint.

A notice

A notice in accordance with law has been issued to the defendant.

In any event the contentions raised by the defendant in para 2 & 3 are inconsistent with para 7 of the written statement.

4. The allegations in the written statement inconsistent with the plaint and the reply statement are not admitted.

5. Even according to the written statement the plaintiff is entitled to an immediate decree for possession.

6 The plaintiff prays that the suit may be posted for issues and trial on the other matter in controversy.

Government Pleader,

Bangalore | and Advocate for plaintiff.
27-5-1935. |

KHR.

36

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P6885 Genl

Dated, Bangalore, 10th June *193*5

14

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to the correspondence ending with the Government Order No.P.3307-10/Law.22-34-6 dated 4th January 1935 according sanction to file a civil suit for recovery of arrears of rent due in respect of the premises belonging to Sri Kasi Visveswaraswami temple, Bangalore, I am directed to forward herewith for information and necessary action a copy of the Bangalore Public Prosecutor's letter No.1139/34-35 dated 30th May 1935 intimating that the suit has been decreed for possession and for the admitted amount of Rs.207/- and has been adjourned for issues on other points.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

bnl.3

Appendix F. G.–1]

SUBJECT.....

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Section. Law

File No. M 54

Serial No. 9

No. P 6885

To — Govt

The M C

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the 193 .

Date of issue 14/6/35

Signed by

Sir,

With reference to the Correspondence ending with the G.O. no. P 3207-10 Law (Mun. 6) d. 4.1.35 according sanction to file a civil suit for recovery of arrears of rent due in respect of the premises belonging to Sri Kasi Viswanathaswami temple, Bhe, I am directed to forward herewith for information & necessary action a copy of the Bhe Pol's letter no. 1139/Mun. d. 30.5.35 intimating that the Executive Officer has been decreed for possession and for the admitted amount of Rs 70/- and has been adjourned sine die for issues on other points. I have etc

For Secretary to Government

G.S. sole Mun. on the file of the Municipal Bhe

(To the Bhe as in Mr. B. Standards)

List of enclosures.....

Copied by.....

Examined by.....

M C 13.] No. 622/34-35

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 25th July *193* 5.

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

H. V. Ramaswami, Esq., M.A., B.L.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General *Department.*

SIR,

O.S.No.584/34-35 on the file of the First Munsiff, Bangalore. (Deputy Commissioner Vs. Mr. B. Shankara Rao.)

Adverting to G.O.No.P.3307-10/Law 22-34-6 dated the 3rd/4th January 1935, according sanction for advancing a sum of Rs 130/- from the closing balance of the General Muzrai Fund towards the cost of the institution of the above suit, I have the honor to forward herewith copy of letter No.C3-2401/33-34 dated 22nd July 1935 from the Deputy Commissioner, Bangalore District, requesting for a further advance of Rs 10/- to meet the incidental expenses connected with the execution proceedings.

In the circumstances, I request that a further sum of Rs 10/- may be advanced out of the closing balance of the General Muzrai Fund, subject to adjustment of the entire advance in due course.

I have the honor to be,
Sir,
Your most obedient servant,

For Muzrai Commissioner.
(Absent from headquarters.)

Letter No.C3-2401/33-34 dated 22-7-35 from the Bangalore District, to the Muzrai Commissioner in Mysore

-/0 ------

Adverting to G.O.No.P.3307/Law 22-34-6 dated 4-1-1935 sanctioning an advance of R 130/- from the closing balance of the General Muzrai Fund for expenses in connection with the civil suit against Mr. P. Shankara Rau, Advocate, for eviction and recovery of rent due to Sri Kasivisveswaraswamy temple, Bangalore City, I have the honor to forward herewith a copy of letter No.71, 35-36 dated the 15th instant from the Public Prosecutor, Bangalore Division, intimating that the court has passed a decree for possession of the property and for Rs 207/- and requesting for an advance of Rs 10/- to meet the incidental expense connected with the execution proceedings. I request that the amount asked for by the Public Prosecutor may also be sanctioned out of the closing balance of the General Muzrai Fund, subject to adjournment in due course.

"Copy"

For Muzrai Commissioner.

Cco

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

Government Order No.P.3307-10 Law. 22-34-6 dated 4th January 1935, according sanction to advance a sum of Rs.130 to the Public Prosecutor, Bangalore, towards the cost of institution of the marginally noted suit, from the closing balance of the General Muzrai Fund subject to adjustment in due course.

O.S.584/34-35 on the file of the Ist Munsiff, Bangalore.
(Deputy Commissioner, Bangalore
-VS-
Mr.T. Shankara Rao.

2. Letter No.622/34-35 dated 26.7.1935, from the Muzrai Commissioner, soliciting sanction of Government in the circumstances stated, to advance Rs.10/- to the Public Prosecutor, Bangalore, to meet the incidental expenses connected with the execution of the decree passed for the admitted amount in the above case, and to pay it out of the closing balance of the General Muzrai Fund subject to adjustment of the entire advance in due course.

ORDER NO. P 887-89 /Law 22-34-11

Dated, Bangalore, the 6th/7 August 1935.

Sanctioned.

Mysore

for General Secretary to Government.

To

The Muzrai Commissioner in Mysore.
" Deputy Commissioner, Bangalore District.
5. " Comptroller to Government.

G. R. S. App. F VI—G 2]

SUBJECT 64

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Diary. No of letter replied to .....

Section Law

File No. ಸಂ-34

Serial No. //

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 7-8- 1935.

Signed by ಡಿಸಿ ಎನ್.ಆರ್.ಡಿ

ಓ.ಸ. ಪತ್ರವನ್ನು ಈ ಕಡತದ ಮೇಲೆ ಮೈಸೂರು ಜಿಲ್ಲೆಯ ಡಿ. ಮೈಸೂರು, ಬೆಂಗಳೂರು (ಡಿ.ಸಿ. ಮೈಸೂರು vs ಶ್ರೀ ಬಿ. ಶಾಮಣ್ಣ)

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Read— G.O. no. R. 3307-10 Law ಸಂ-34-b ದಿ 4.1.35 ~~ಆದೇಶ~~ according sanction to advance a sum of Rs 150/- to the Dist. Bd. Blore towards the Cost of institution of the marginally noted suit. from the closing balance of the General Muzrai Fund ~~Order thereon.—No.~~ Subject to adjustment in due Course

2. Letter no. 6 in Judicial dt 26.7.35 from the Muz. Commr soliciting sanction of Govt in the Circumstances stated, to advance Rs 40/- to the Dist. Bd. Blore to meet the incidental expenses

Law. 6/8/35

42

Connected with the execution of the ~~[illegible]~~ decree
passed for the amount in
proceedings of the above case, and to pay it out
~~out~~ of the Clerks balance of the
General Mgr. Fund subject to
the entire advance
to be made in due Course
order. — No P887 - 89

Sanctioned.

DMF 1/8 Genl Secy
TSD 1/8

To.

The M.E.
D.E. Blue
Comptroller Legn
Copy to Mgr. Bra. → Issues

List of Enclosure

Copied by [signature] 16/9/35

Examined by

Appendix F G—1]

43

SUBJECT.....

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Section Law

File No. 22 - 34

Serial No.

Diary No. of letter replied to.....

No. P 4552 Land I

To The DC

General and Revenue Secretariat

( )

the *193*

O.S. file/3555 on the file of the I Munsiff. N'Lore

(DC N'Lore vs Mr. B. Shankara Rao)

Date of issue 23/1/36

Sir,

Signed by for NRG

I am directed in continuation of this office letter no. P. 6005 dt. 11.6.35 on the above subject, to forward herewith for information a copy of N'Lore PPR's letter no. 598/35-36 dt. 19.11.35 addressed to him intimating that the defendant handed over possession of the premises on 19.11.35.

List of enclosures.....

I have the honour to be,

Sir,

Your most obedient servant,

Copied by .....

Examined by.....

TSD.

8/1

4446 p 36

No. 1381
Enc. 35-36 Copy of judgment & decree
IMMEDIATE.

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION,
DISTRICT OFFICE BUILDINGS,

Bangalore, 30th June *193* 6

FROM

G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

SIR,

Re; O.S.No.584/34-35 on the file of the First Munsiff, Bangalore. (The Deputy Commissioner, Bangalore -Vs- Mr. B. Shankara Rao.)

pml 1/7/36.

I have the honour to send herewith the certified copy of judgment and decree in the above case for information of Government. The suit was filed for Rs.756-8-0 and the court has decreed the suit for Rs.308/- only. The desirability or otherwise of preferring an appeal has to be considered very early. In my opinion it is a fit case for preferring an appeal. If an appeal has to be filed the same has to be filed within a week. The matter may kindly be treated as urgent.

he has to give reasons under rule 107 Legal Affairs Rule

I have the honour to be,
Sir,
Your most obedient servant,

G. S. Doraswamy Iyer

await further communication from Government

KHR. pml 1/7/36.

No. 9 36-37
Enc.

94 236

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION.

DISTRICT OFFICE BUILDINGS,

Bangalore, 3rd July *193* 6.

FROM

G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

To

Law Dept-15

The General Secretary to the Government of H.H. the Maharaja of Mysore, Bangalore.

SIR,

O.S.No.584/34-35 on the file of the First Munsiff, Bangalore. (The Deputy Commissioner, Bangalore - VS- Mr. B. Shankara Rao.)

- 4 JUL 1936

In continuation of my letter No.I38I/35-36 dated the 30th June I936 enclosing a copy of judgment and decree in the above case, I have the honour to enclose herewith a copy of my letter addressed to the Muzrai Commissioner and to state that the debtor Mr. B. Shankar Rao pleaded inability to pay the amount even when about to be arrested. There appears to be no reasonable chances at all of recovering the amount as the debtor appears to be very hard up.

I have the honour to be,
Sir,
Your most obedient servant

S Doraswamy Iyer
Public Prosecutor.

66

No. 1
Enc. 36-37

OFFICE OF THE PUBLIC PROSECUTOR,
BANGALORE DIVISION,
DISTRICT OFFICE BUILDINGS,

Bangalore, 3rd July *193*

FROM G.S. Doraswamy Iyer, Esq., B.A., B.L.,
Public Prosecutor,
Bangalore Division, Bangalore.

To
The Muzrai Commissioner,
Bangalore.

SIR, RE: O.S.No.584/34-35 on the file of the First Munsiff, Bangalore. (The Deputy Commissioner, Bangalore. -VS- Mr. B. Shankar Rao

With reference to your letter No.622/34-35 dated the 30th June 1936, I have the honour to state that an application was filed and he was about be arrested by the Court Amin when he approached the Deputy Commissioner, Bangalore and asked for time pleading inability to pay the amount just now. The execution application has for the present been allowed to be dismissed.

I have the honour to be,
Sir,
Your most obedient servant,
SD/- G.S. Doraswamy Iyer,
Public Prosecutor.

Copy of the foregoing is submitted to the General Secretary to the Government of Mysore, Bangalore.

Public Prosecutor.

Salem

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 14

No. P 539 Law 22-36-14 *Dated, Bangalore,* 20th July *193*6.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,

Bangalore.

Sir,

O.S. 584/34-35 on the file of the I Munsiff, Bangalore
(Deputy Commissioner, Bangalore Vs B.Shankar Rao)

With reference to the correspondence ending with your letter No. 9/36-37 dated 3rd July 1936 forwarding a certified copy of the judgment and decree in the above case and stating that it is a fit case for appeal, I am directed to state that since you have reported that there is no prospect of recovering even the amount now decreed Government consider that there is no use of any further appeal in the case.

I have the honour to be,
Sir,
Your most obedient servant,

Sd.M. Venkatesa Iyengar,
General Secretary to Government.

Memo No. P 540/Sec 1. 15-7-36

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore for information. A copy of the certified decree is herewith enclosed for favour of taking necessary action to recover the costs due to Government in consultation with the Public Prosecutor, Bangalore.

By Order,

For General Secretary to Government.

16/7/36

Appendix F G—1]

SUBJECT ..... Leg.

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Section Law

File No. 22-34

Serial No. 14

Diary No. of letter replied to.....

No. P539.

To The Asst. Bde.

General and Revenue Secretariat

( )

the *193*

O.S. 584 issues on the file of the

I Mussulman Bde

(D.C. Bde & B. Standen Rd)

Date of issue 20-7-36

Sir,

Signed by Mrs. N. R. d.

With reference to the

Correspondence ending with your letter

no. 9/36037 dt 3.7.36 forwarding a

certified copy of the Judgt and decree

in the above case

and stating that it is a fit case

for appeal I am directed to

you have reported that

state that since there is no prospect

List of enclosures.....

of recovering the amount now

decreed, Government Coroner does not

Copied by 9/8/7

there is any use of going further (appeal

Examined by.....

~~against the Judgment of the I Mussulman~~ in the case

WD 03601—GPB—30,000—23-9-35

I have see

Asst

Dr Gen Secy

15/9/36

No. P540/Sec 1. 15 20-7-86.

Copy of the above is forwarded
with Compliments to the Mercantile
for information. A copy of the
enclosed decree is herewith enclosed
for further taking necessary action
to recover the Certificate due to him
Consultation with the Govt. Pleader

B.O

Govt Pleader
15/7

Govt Pleader
15/7